

PRESENT :

THE HONOURABLE MR. JUSTICE A.K.BASHEER

WEDNESDAY, THE 13TH DECEMBER 2006 / 22ND AGRAHAYANA 1928

RP.No. 1053 of 2006(I)

AGAINST THE JUDGEMENT/ORDER IN WPC.18150/2005 Dated 11/07/2005

REVIEW PETITIONER/PETITIONER:

K.M. NARAYANAN NAIR,
KARAYATTUMADATHIL, KOTTUR P.O., KOYILANDY,
KOZHIKODE-673 614.

BY ADV. SRI.PIRAPPANCODE V.S.SUDHIR
SRI.SUMAN CHAKRAVARTHY

RESPONDENTS: RESPONDENT:

1. UNION OF INDIA,
REPRESENTED BY THE SECRETARY TO GOVERNMENT OF
INDIA, MINISTRY OF PERSONNEL AFFAIRS, NEW DELHI.
2. THE STATE OF KERALA,
REPRESENTED BY ITS CHIEF SECRETARY, SECRETARIAT,
THIRUVANANTHAPURAM.
3. THE CENTRAL BUREAU OF INVESTIGATIONS,
NEW DELHI, REPRESENTED BY ITS DIRECTOR.
4. THE DIRECTOR GENERAL OF POLICE, KERALA,
THIRUVANANTHAPURAM.

BY ADV. SRI.S.SREEKUMAR, SC FOR CBI
SRI.SUNNY XAVIER(A.C.G.S.C)
GOVERNMENT PLEADER SMT.LATHA T. THANKAPPAN.

THIS REVIEW PETITION HAVING BEEN FINALLY HEARD
ON 13/12/2006, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R.P.No.1053/2006
in
WP(C).No. 18150/2005

Dated this the 13th day of December, 2006.

ORDER

By judgment dated July 11, 2005 this Court had declined the prayer made by the petitioner to entrust the investigation into the “man missing” case in relation to Sri. K.M.Bhaskaran Nair who was serving as a Police Constable attached to Koorachundu Police Station, to the Central Bureau of Investigation. Sri.Bhaskaran Nair was found missing some time in March 1982. It appears that the Deputy Superintendent of Police, CB CID, SIG-III, Kozhikode had come to the conclusion that Sri.Bhaskaran Nair had committed suicide in a lodge in Bangalore on March 10, 1982.

2. The writ petition was disposed of with the observation that no useful purpose would be served if the investigation is entrusted to the CBI, particularly since more than 23 years had elapsed after Sri.Bhaskaran Nair had reportedly vanished.

3. Learned counsel submits that the Government of Kerala has now decided to hand over the investigation of the above case to the CBI. However the CBI finds it difficult to take up the investigation in view of the judgment in the above writ petition.

4. Since the Government, for its own reasons, has decided to hand over investigation to the CBI, it is made clear that the above judgment shall not stand in the way of the CBI in taking up the investigation.

R.P. is closed with the above observation.

an.

A.K. Basheer
Judge.

